

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED _____ ENTERED _____
LOGGED _____ RECEIVED _____

JUN 15 2020

Anthony Clark Jr.

08-25-1990

3522455/460812

14100 McMullen Hwy SW

Cumberland, MD 21502
(Full name, date of birth, identification #, address of petitioner)

Plaintiff,

v.

Officer Portmess

14100 McMullen Hwy SW

Cumberland, MD 21502

North Branch Correctional Institution
(Full name and address of respondent)

Defendant(s).

Case No.: _____
(Leave blank. To be filled in by Court.)

COMPLAINT

I. Previous Lawsuits

A. Have you filed other cases in state or federal court dealing with the same facts as in this case or against the same defendants?

YES ☐ NO ☐

B. If you answered YES, describe that case(s) in the spaces below.

1. Parties to the other case(s):

Plaintiff: Anthony Clark

Defendant(s): Officer Portmess

2. Court (if a federal court name the district; if a state court name the city or county):

District of Maryland

3. Case No.: _____

4. Date filed: Approximately October of 2019

5. Name of judge that handled the case: _____

6. Disposition (won, dismissed, still pending, on appeal): Dismissed without prejudice

7. Date of Disposition: Approximately Nov-Dec 2019

II. Administrative Proceedings

A. If you are a prisoner, did you file a grievance as required by the prison's administrative remedy procedures?

YES ☒ NO ☐

1. If you answered YES:

a. What was the result? Dismissed ITD investigation

b. Did you appeal? _____

YES ☒ NO ☐

2. If you answered NO to either of the questions above, explain why: _____

III. Statement of Claim

(Briefly state the facts of your case. Include dates, times, and places. Describe what each defendant did or how he/she is involved. If you are making a number of related claims, number and explain each claim in a separate paragraph.)

On September 26th, 2019 On A-tier of housing unit 1 my person was seized; taken to the ground. I was then handcuffed, while still pinned chest-down to the ground beneath; by several officers with my hands still cuffed behind my back, officer Portness began assaulting me with severe repeated strikes to the back, sides; top of my head with the blunt end of a very heavy; thick mace canister. This resulted in both instantaneous physical injury

(i.e. deep lacerations/open wounds leaving permanent scarring) & substantial blood loss which pooled beneath my head. I was then forcibly dragged by two officers (1 of which included Portmess, the other, due to a heavy flow of blood in my eyes which thereby blinded me, remains unknown to me) to inside the medical room of housing unit 1 without the presence of medical personnel which, "upon information & belief", is a violation of policy & procedure. Once inside the medical room I was placed in a hunched position across the bed-chair. I was then struck repeatedly with closed fist strikes to the head for an elongated period of time. Simultaneously I was taunted with racial expletives & threatened repeatedly. During the course of this assault I was sexually assaulted. Some time afterwards, medical personnel walked into the room & asked how did blood get all over the walls. I made repeated requests to Lt Whiteman & Sgt Thomas to make a prea complaint which I was denied. I was placed in a cell on C-tier & deprived the basic necessities such as mattress, soap, toilet paper, toothpaste, toothbrush, etc. as well as denied a shower for 15 days. During this time I managed to acquire some paper & a pen which I used to write a distress note which was then smuggled by inmates to a inmate with access to the phone which he used to relay the information of the note to my family who then called this institution, spoke with staff including Sgt Thomas, & relayed their concerns about me being sexually assaulted & wanting to make a prea complaint. Officers then came to my cell to inform me that they had spoken to my family but I still could not file a prea complaint. I also managed to fill out a ARP which was given to officer Kody Gilpen on October 1st 2019, which he refused to sign or return, & then made repeated threats against my life. Officers further came to my door on that Friday & again threatened my life further subjecting me to intentional infliction of emotional distress & harm. Other officers have repeatedly looked on with deliberate indifference of my potential risk of serious bodily harm or death from the excessive use of force I was subjected to on September 26th 2019 to the incident in the medical room where I was further brutalized. For the above stated reasons I am seeking to bring suit to officer Portmess in both his individual & official capacity. I am seeking money damages - specifically compensatory & punitive damages - as well as an injunction & declaratory judgement. I am seeking compensatory & punitive damages in the amount of 250,000/two hundred & fifty thousand dollars. I would like to request all camera footage

Of said incidents from A/C tier of housing unit 1, as evidence.

Thank you for your time; have a blessed day.

Anthony Clark Jr.

Anthony Clark JR

5-17-2020

IV. Relief

(State briefly what you want the Court to do for you.)

I am seeking compensatory & punitive damages in the amount of two hundred & fifty thousand dollars as well as an injunction & declaratory judgement.

SIGNED THIS 17th day of May, 2020.

Anthony Clark
Signature of Plaintiff

Anthony Clark
Printed Name North Branch Correctional Institution
14100 McMullen Hwy SW
Cumberland, MD 21502
Address

Telephone Number

Email Address

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

Anthony Clark JR

08-25-1990

*

3522455/460812

NBLT-14100 McMullen Hwy SW

Cumberland, MD 21502
(Full name, date of birth, identification #, address of petitioner)

*

Plaintiff,

v.

Case No.: _____
(Leave blank. To be filled in by Court.)

Officer Portmess

*

NBLT

14100 McMullen Hwy, SW

Cumberland, MD 21502
(Full name and address of defendant)

*

Defendant(s).

CERTIFICATE OF SERVICE

I hereby certify that on May 17th, 2020

a copy of _____

was mailed via first class mail, postage prepaid, to _____

Anthony Clark
Signature of Plaintiff

Anthony Clark
Printed Name
NBLT-14100 McMullen Hwy SW

Cumberland, MD 21502
Address

Telephone Number

Email Address